

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

BRETT CHRISTIAN, *et al.*,

Plaintiffs,

v.

DOMINICK L. CHIUMENTO, *et al.*,

Defendants.

No. 1:22-cv-695-JLS

**SUPPLEMENTAL DECLARATION OF BRETT CHRISTIAN IN OPPOSITION TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

I, Brett Christian, hereby declare under penalty of perjury, that the following information is true to the best of my knowledge and state the following:

1. I am over 18 years old. I am competent to give this declaration. I am providing this declaration based on my personal knowledge and experience.
2. I am aware that Defendants submitted a declaration from an inspector, Joseph Barill, purporting to describe one of the public parks where I carried prior to the enactment of S51001 and would continue to carry but for credible fear of arrest and prosecution under S51001. I am also aware that Defendants assert other facts about the nature of the parks where I carried, and would continue to carry but for S51001, in their Statement of Undisputed Material Facts.
3. Defendants' characterizations of the public parks where I have carried and would like to carry as crowded are not accurate based on my experience.
4. I went to Stiglmeier Park on Saturday, June 22, 2024 from 9:30 am to 10:15 am. While there, I observed very few other people. I also did not observe any police cars or other law enforcement.

5. Figure 1 below is a true and accurate copy of a photograph I took on my iPhone of the parking lot at Stiglmeier Park around 9:30 am on Saturday, June 22, 2024. On the right hand side, a baseball diamond is visible. Figure 2 below shows another angle, including two empty pavilions.



Figure 1



Figure 2

6. Figure 3 below is a true and accurate copy of a photo taken on my iPhone between 9:30 am and 10:15 am on Saturday, June 22, 2024, of the start of a wooded hiking trail called Timber Trail in Stiglmeier Park. I observed very few other people while on this hiking trail, none of whom were uniformed law enforcement. There are other hiking trails like this one in Stiglmeier Park.



Figure 3

7. Figure 4 below is a true and accurate copy of a photo taken on my iPhone between 9:30 am and 10:15 am on Saturday, June 22, 2024, while on the Timber Trail in Stiglmeier Park. I observed very few other people while on this hiking trail.



Figure 4

8. Figure 5 below is a true and accurate copy of a photo taken on my iPhone between 9:30 am and 10:15 am on Saturday, June 22, 2024, while on the Timber Trail in Stiglmeier Park. I observed very few other people while on this hiking trail.



Figure 5

9. Figure 6 below is a true and accurate copy of a photo taken on my iPhone between 9:30 am and 10:15 am on Saturday, June 22, 2024, while on the start of the Ridge Run Trail in Stiglmeier Park. I observed very few other people while on this hiking trail, none of whom were uniformed law enforcement. There are other hiking trails like this one in Stiglmeier Park.



Figure 6

10. I also went to sections of the Clarence Bike Path on Saturday, June 22, 2024, also known as the West Shore Trail. I arrived at 11:15 am and left at 11:30 am. While there, I observed very few other people. I also did not observe any law enforcement. Figures 7, 8, 9, and 10 are true and accurate copies of photos taken on my iPhone between 11:15 am and 11:30 am on Saturday, June 22, 2024 at the Clarence Bike Path. Because there is a sign saying “Park Rules apply” at the start of the Bike Path, it is my understanding that I cannot carry while walking or biking on this bike trail, regardless of whether it passes through public parks. In any event, the West Shore Trail portion of the Clarence Bike Path that I use passes through Main Street Town Park, as Defendants note.



Figure 7



Figure 8



Figure 9



Figure 10

11. I also went to the Shoreline Trail, which runs from Buffalo to Niagara Falls, on Saturday, June 22, 2024. I arrived around 10:30 am and left around 10:50 am. While there, I observed very few other people. I also did not observe any law enforcement. Figures 11, 12, and 13 are true and accurate copies of photos taken on my iPhone between 10:30 am and 10:50 am on Saturday, June 22, 2024 at the Shoreline Trail.



Figure 11



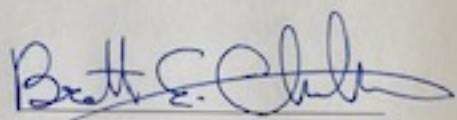
Figure 12



Figure 13

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed this 8 day of July, 2024


Brett Christian